



-BLOOD DONATION LEAVE-

Blood Donation Leave-

101 KAR 2:102 Section 12:

- (1) An employee who, during regular working hours, donates whole blood at a licensed blood center certified by the Food and Drug Administration shall receive four (4) hours leave time, with pay, for the purpose of donating and recuperating from the donation.
- (2) Leave granted pursuant to this section shall be used when the blood is donated unless circumstances as specified by the supervisor required the employee to return to work. If the employee returns to work, the unused portion of the leave time shall be credited as compensatory leave.
- (3) An employee shall request leave in advance to qualify for blood donation leave.
- (4) An employee who is deferred from donating blood shall not:
 - (a) Be charged leave time for the time spent in the attempted donation; and
 - (b) Qualify for the remainder of the blood donation leave.

PERSONNEL CABINET POLICY:

Blood donation leave is granted for the purpose of *whole* blood donation and recuperation. The donation must occur during an employee's scheduled work hours in order to qualify for leave, which does not include the lunch period. Blood donation made outside scheduled work hours is not eligible for blood donation leave or compensatory time for the donation. All employees statewide are permitted to donate blood at any licensed blood center certified by the Food and Drug Administration.

Employees who donate shall receive four (4) hours leave time with pay for the purpose of donating and recovering from the donation. Leave time must be taken at the time of donation unless circumstances, as specified by the supervisor, require the donor to return to work. In this case, the unused portion of leave time will be credited as compensatory time. Employees deferred from donating shall not be charged for the time used in attempting to donate, but will not receive the four (4) hours leave time as those who donate.

Agencies are responsible for notifying their employees of the blood donation policy. All employees are required to obtain prior supervisory approval for blood leave and to submit verification to their supervisor of blood donation or deferral.

PERSONNEL CABINET PROCEDURE:

KHRIS Timesheet Coding			
Scenario	37.5 Hour Employees	40 Hour Employees	Part Time Employees (Example: Works 5 hours per day)
Works partial day and Donates	3.5 hours = 1REG 4.0 hours = BLOD	4.0 hours = 1REG 4.0 hours = BLOD	1.0 hours = 1REG 4.0 hours = BLOD
Works partial day and Attempts to Donate (is deferred) and Does Not Return to Work (in this example attempted donation took ½ hour)	3.5 hours = 1REG 0.5 hours = BLOD 3.5 hours = ANLL, SICK, or COMP	4.0 hours = 1REG 0.5 hours = BLOD 3.5 hours = ANLL, SICK, or COMP	1.0 hours = 1REG 0.5 hours = BLOD 3.5 hours = COMP
Donates and Returns to Work full day- Minus Donation Time (in this example donation took 1 hour)	3.5 hours = 1REG 4.0 hours = BLOD 3.0 = 6ADL	4.0 hours = 1REG 4.0 hours = BLOD 3.0 = 6ADL	1.0 hours = 1REG 4.0 hours = BLOD 3.0 hours = 6ADL
Attempts to Donate (is deferred) and Returns to Work full day (in this example attempted donation took ½ hour)	7.0 hours = 1REG 0.5 hours = BLOD	7.5 hours = 1REG 0.5 = BLOD	4.5 hours = 1REG 0.5 = BLOD

FREQUENTLY ASKED QUESTIONS AND ANSWERS:

Question: *How do I know if an employee is eligible to claim Blood Donation Leave?*

Answer: An employee is eligible to claim Blood Donation Leave if the employee: 1) first obtains prior supervisory approval before making the donation; 2) donates whole blood at a licensed blood center certified by the Food and Drug Administration during their scheduled work hours; and, 3) obtains verification of that donation or deferral.

Question: *What if an employee claims Blood Donation Leave but does not donate?*

Answer: If an employee attempted to donate blood but was deferred (not permitted by the blood center), the employee should code their timesheet as BLOD for only the amount of time they 'attempted' to donate. All employees claiming Blood Donation Leave for either an attempted or successful blood donation should obtain verification from the blood center for the purpose of their timesheet. Employees who claim Blood Donation Leave, but fail to donate, may be subject to disciplinary action. Please contact your HR Administrator for your Agency's internal policy on this matter.

Questions: *What is the proper definition for "scheduled working hours"?*

Answer: Scheduled working hours can vary from agency to agency and employee to employee, and are based on the needs of the agency and the employee's job duties. It is the standard working time an employee is usually scheduled to work (whether it is a regular work schedule or a flex work schedule).

Question: *Can an employee who is out on extended Family Medical Leave (FML) claim Blood Donation Leave?*

Answer: No. An employee who is off on continuous and extended FML is not scheduled to work. Therefore, the employee is not eligible to claim blood donation leave.

Question: *Can an employee who is out on Workers' Compensation claim Blood Donation Leave?*

Answer: No. An employee who is off work due to a Workers' Compensation claim is not scheduled to work. Therefore, the employee is not eligible to claim blood donation leave.

Question: *Can an employee work all day and donate after their scheduled work hours and still claim blood donation leave?*

Answer: No, an employee is only eligible to claim blood donation leave when the donation is made during their scheduled work hours. However, the employee may leave only to donate and then return to work the rest of the day (for instance if the blood drive is onsite and no travel is required). Instructions for KHRIS timesheet coding can be found above in the Personnel Cabinet Procedure section.

Question: *Is an employee who donates blood towards the end of his or her workday entitled to the full four (4) hours of blood donation leave?*

Answer: Yes, even though an employee donates blood towards the end of his or her work day, he or she is still entitled to the full four (4) hours of blood donation leave. Therefore, if an employee leaves work at 2:00 PM to donate blood, and is regularly scheduled to work until 4:30 PM, the employee is entitled to four (4) hours of blood donation leave, and would accrue 1.5 hours of compensatory leave (for the purpose of the timesheet, the blood donation leave hours would be coded within the scheduled work hours). Alternatively, an agency may instruct the employee to leave work at 12:30 PM so that the employee does not accrue compensatory leave.